

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

COREY DAY

v.

C.A. No. 08-161 ML

ASHBEL T. WALL, et al.

REPORT AND RECOMMENDATION

Plaintiff Gary Gromkiewicz, *pro se*, is an inmate at the Adult Correctional Institutions in Cranston, Rhode Island. On March 25, 2008, he, along with fourteen other inmates, filed an action complaining about the conditions of confinement. Presently before the Court is plaintiff Gromkiewicz's motion entitled "Motion to Remove Named Plaintiff from Civil Action Complaint" which shall be interpreted as a motion for voluntary dismissal by plaintiff Gromkiewicz pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure (Docket # 41). This matter has been referred to me for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B).

Having reviewed plaintiff Gromkiewicz's submission, I hereby recommend plaintiff's motion to be removed as a plaintiff in this action be GRANTED and the action be DISMISSED without prejudice with respect to plaintiff Gromkiewicz.



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Jacob Hagopian  
Senior United States Magistrate Judge  
December 16, 2008